

REMARKS

The drawings were objected for failing to comply with 37 CFR 1.84(p) (5) because the Examiner stated that reference number 68 was missing from the description. The objection to the drawings is traversed. Reference number 68 is disclosed in paragraph [0033] in the patent application. Reference number 68 refers to relief and supply lines.

The disclosure was objected to because of missing subtitles. The subtitles have now been added to the specification with this amendment.

Claims 1, 2, 7 and 9 and 11-13 were rejected under 35 USC 102(b) as being anticipated by Altmayer (U.S. Patent Number 4,927,089). Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Altmayer. Claim 10 was rejected under 35 USC 103(a) as being unpatentable over Altmayer in view of, Hamaguchi et al (U.S. Patent Number 5,857,630).

The rejection of claims 1-4 and 7-13 is traversed. Claim 1 has only been amended to include the limitations of original claim 2. Claim 2 is now cancelled. However, claim 1 is distinguished from Altmayer. Altmayer shows a toggle plate 44 located at a lower end of a moving (swing) jaw. A pair of hydraulic rams 50 are arranged intermediate to the toggle plate 44 in a transfer speed 48. Therefore, it should be clear that the rams 50 are not on the opposite of the cross (transverse) beam from the toggle plate, as required by claim 1. New independent claims 14 and 23 have been added. Altmayer does not anticipate claims 14 or 23, since the rams 50 in Altmayer are not mounted in apertures in the walls of the crusher. Inasmuch as independent claims 1, 14 and 23 are believed to be allowable, the remaining dependent claims are believed to be allowable also. The objected claims 5 and 6 have not been rewritten in independent form at this time, because the applicant believes that independent claim 1 is allowable on its own without the features of claim 5.

An Information Disclosure Statement is submitted which discloses a previously uncited prior art document, U.S. Patent Number 4,361,289 issued to Georget independent claims 1, 14, and 23 are distinguished from the Georget patent. Georget describes a jaw crusher having a pivotally mounted cross beam 30 arranged between a toggle 28 and a pair of hydraulic jacks 36. The jacks 36 are part of a safety system to prevent the cross beam from pivoting when the force

transmitted to the cross beam from the mobile jack remains below a predetermined value. However, the cylinders in Georget are not arranged in a manner required by claim 1. Claim 1 requires the cylinders on either side of the frame. Therefore, Georget does not anticipate claim 1 or new claims 14 and 23 since the jack 36 are not mounted in apertures formed in the walls of the crusher.

This amendment should place this case in condition for passing to issue. Such action is requested. If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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